



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

May 7, 2018
Certified Mail/Return
7012 3460 0003 1112 9530

Robert Glander
Self-Reported Park Business Owner and Operator (Operator)
Big Bend Mobile Home Park
P.O. Box 355
Oregon House, CA 95962

Attention: Robert Glander

RE: COMPLIANCE ORDER NO. 21-18R-003 FOR OPERATING A PUBLIC WATER SYSTEM WITHOUT A VALID DOMESTIC WATER SUPPLY PERMIT.

BIG BEND MOBILE HOME PARK, PUBLIC WATER SYSTEM NO. 0400028, 4320 BIG BEND ROAD, CONCOW, CALIFORNIA 95965

Enclosed is a compliance order issued to Robert Glander, who is self-reported as the business owner and operator of Big Bend Mobile Home Park public water system (System). This compliance order is being issued because Robert Glander is operating the System without a domestic water supply permit. Operating a water system without a permit not only poses a threat to public health and safety, but is a violation of the California Health and Safety Code, Section 116525. It is important that you read this order carefully and complete all directives by the dates specified.

The Directives of the enclosed compliance order are as follows:

1. The following items are to be submitted to the County by **May 30, 2018**:
 - a. The remaining balance of **\$1065.00** for fees incurred.
 - b. The public water system annual fee of **\$732.60**.
 - c. Complete and accurate **Change of Ownership permit application documents** pursuant to the domestic water supply permitting requirements specified in Title 22, CCR, Section 64001 and the CHSC, Section 116525
2. If the above items are not submitted by **May 30, 2018**, the System will incur a **40% penalty** as well as be required to post a **Boil Water Notice** at the System's property.

Any person who is aggrieved by an order or decision issued by the Division, may file a petition with the State Water Board for reconsideration of the order or decision. Petitions must be received by the

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

State Board within 30 days of the issuance of the order or decision. The date of issuance is the date when the Division mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. See attached Applicable Authorities for relevant statutory provisions for filing a petition.

For more Information regarding filing petitions, visit the following website:
http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

Note that Section 116577 of the California Safe Drinking Water Act provides for the Division to be reimbursed by the System for costs incurred for preparing and issuing a compliance order. The System will be billed for the preparation and issuance of this order.

If you have any questions regarding this matter, please call Paul Rowe at (530) 224-4866 or me at (530) 224-4861.



Reese B. Crenshaw, P.E.
Valley District Engineer
Drinking Water Field Operations Branch

Enclosure

cc: Elaine McSpadden, Butte County Environmental Health, Division Director

Jameson Family Redwood Trust,
c/o Citi Trustee Services, LLC, a Virginia LLC
as Trustee of the Jameson Family Redwood Trust
P.O. Box 65
Glade Hill, VA 24092

Jameson Family Redwood Trust,
c/o Citi Trustee Services, LLC, Earl Lawrence Trustee, a Virginia LLC,
as Trustee for the Jameson Family Redwood Trust
Earl Lawrence, Registered Agent
724 Chestnut Mountain Rd
Rocky Mount, VA 24151

Jameson Family Redwood Trust,
c/o Citi Trustee Services, LLC, Earl Lawrence Trustee, a Virginia LLC,
as Trustee for the Jameson Family Redwood Trust
Earl Lawrence, Registered Agent
4121 Barrows Mill Rd
Martinsville, VA 24112-8010

cc: California Agent for Service of Process
c/o FNX3 LLC and Citi Trustee Services, LLC
Earl Lawrence Trustee for the Jameson Family Redwood Trust
Peter L. Sanford Agency for Service of Process for Citi Trustee Services, LLC
133 Mission Street #280
Santa Cruz, CA 95060

Richard Weinert, Deputy Director,
Standards and Codes,
California Department of Housing & Community Development
2020 West El Camino Avenue
Sacramento, CA 95833

Lisa Campbell, Attorney III
Legal Affairs Division
Department of Housing Community Development
2020 West El Camino Avenue
Sacramento, CA 95833

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STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

10 **TO:** Robert Glander
11 Self-Reported Park Business Owner and Operator (Operator)
12 Big Bend Mobile Home Park
13 P.O. Box 355
14 Oregon House, CA 95962
15
16

17 **COMPLIANCE ORDER FOR OPERATING A WATER SYSTEM**
18 **WITHOUT A PERMIT**
19

20 **COMPLIANCE ORDER NO. 21-18R-003**
21

22 **Big Bend Mobile Home Park**

23 **System No. 0400028**

24 **Issued: May 7, 2018**
25

26 Section 116655 of Chapter 4 of Part 12 of Division 104 of the California Health and
27 Safety Code (CHSC) authorizes the issuance of a compliance order for failure to
28 comply with a requirement of the California Safe Drinking Water Act or any
29 regulation, standard, permit, or order issued thereunder.
30

1 The State Water Resources Control Board (hereinafter "Board"), acting by and
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director
3 for the Division, hereby issues this compliance order (hereinafter "Order") pursuant
4 to Section 116655 of the California Health and Safety Code (hereinafter "CHSC") to
5 Robert Glander for violation of CHSC section 116525 and title 22, California Code of
6 Regulations (hereinafter "CCR"), Section 64001.

7 8 **APPLICABLE AUTHORITIES**

9 See Attachment 'A' for applicable authorities.

10 11 **STATEMENT OF FACTS**

12 The Big Bend Mobile Home Park water system (hereinafter, System) in Butte County
13 is classified as a community water system with 35 connections, serving
14 approximately 85 people. The self-reported MHP business owner and operator at
15 the System is Robert Glander (Operator). According to Butte County Tax Assessor
16 Records (Attachment B), the System's property was sold to the Jameson Family
17 Redwood Trust (Owner) on August 24, 2016. The Tax Assessor Records also
18 indicate that the trustee for the Jameson Family Redwood Trust is Citi Trustee
19 Services, LLC.

20
21 In July of 2016, it came to the attention of the Butte County Environmental Health
22 Department (hereinafter, County) that Robert Glander had taken possession of the
23 MHP business, and that the land ownership had changed as well. As a result, the
24 County contacted Robert Glander to make him aware of the need to submit a
25 Change in Ownership Permit amendment to operate the System.

1 Following the initial contact, the County made multiple attempts to obtain completed
2 permit application materials from Robert Glander in order to issue the Change in
3 Ownership permit. Between July of 2016 and March of 2017 the County and Robert
4 Glander had communicated at least ten different times to discuss requirements for
5 this permit. The County also conducted site visits with Robert Glander to identify
6 System deficiencies and further discuss permit application requirements.

7
8 Due to the lack of sufficient action on the part of Robert Glander, the Division issued
9 a certified letter (Attachment C) on October 20, 2017, to the Owner, stating that the
10 County had made multiple attempts to obtain completed permit application materials
11 from Robert Glander, to no avail. The letter, which was mailed to the address on the
12 Assessor records at PO Box 65, Glade Hill, VA, 24092, was not collected by the
13 Owner, and was returned to the County as not collected on November 20, 2017.
14 The letter had a deadline to submit the application materials by November 13, 2017.
15 The letter specified that the Division intended to take formal enforcement action
16 against the Owner, including petitioning the superior court to impose civil penalties, if
17 the Robert Glander continued to operate the System without a valid permit.

18
19 Late in February 2018, Robert Glander submitted incomplete permit application
20 documents to the County. As a result, the County sent an email to Robert Glander
21 on March 1, 2018, (Attachment D) to inform him that permit documents were
22 incomplete and inaccurate, and would not be accepted. The County also informed
23 Robert Glander that if all required permit documents were not submitted by March
24 15, 2018, enforcement would ensue and enforcement fees would be charged.

25
26 As of the date of this Compliance Order, neither Robert Glander nor the Owner has
27 submitted complete and accurate Change in Ownership permit amendment

1 application documents, and thus the System continues to operate without a
2 domestic water supply permit, contrary to the requirements of the California Safe
3 Drinking Water Act.

4 5 **DETERMINATIONS**

6 Based on the above Statement of Facts, the Division has determined that the
7 System is in violation of Title 22, CCR, Section 64001 and CHSC, Section 116525,
8 in that the Owner has failed to submit a completed permit application and is
9 operating a public water system without a water supply permit.

10 11 **DIRECTIVES**

12 This compliance order includes the following directives for the System:

13
14 1. The following items are to be submitted to the County by **May 30, 2018**:

- 15 a. The remaining balance of **\$1065.00** for fees incurred.
- 16 b. The public water system annual fee of **\$732.60**.
- 17 c. Complete and accurate **Change of Ownership permit application**
18 **documents** pursuant to the domestic water supply permitting
19 requirements specified in Title 22, CCR, Section 64001 and the CHSC,
20 Section 116525

21
22 2. if the above items are not submitted by **May 30, 2018**, the System will incur a
23 40% penalty as well as be required to post a **Boil Water Notice** at the
24 System's property.

1 Any additional submittals required by this Order shall be addressed to:

2 Reese B. Crenshaw, P.E.
3 Valley District Engineer
4 Drinking Water Field Operations
5 Division of Drinking Water
6 State Water Resources Control Board
7 364 Knollcrest Drive, Suite 101
8 Redding, CA 96002
9 (530) 224-4861

10
11 Nothing in this Order relieves the System of its obligation to meet the requirements
12 of Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe
13 Drinking Water Act), or any regulation, permit, standard or order issued or adopted
14 thereunder.

15
16 The Division reserves the right to make such modifications to this Order, as it may
17 deem necessary to protect public health and safety. Such modifications may be
18 issued as amendments to this Order and shall be effective upon issuance.

19
20 **FURTHER ENFORCEMENT ACTION**

21 The California SDWA authorizes the Board to: issue citations with assessment of
22 administrative penalties to a public water system for violation or continued violation
23 of the requirements of the California SDWA or any permit, regulation, permit or order
24 issued or adopted thereunder including, but not limited to, failure to correct a
25 violation identified in a citation or compliance order. The California SDWA also
26 authorizes the Board to take action to suspend or revoke a permit that has been
27 issued to a public water system if the system has violated applicable law or
28 regulations or has failed to comply with an order of the Board; and to petition the
29 superior court to take various enforcement measures against a public water system

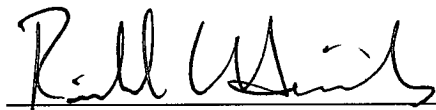
that has failed to comply with an order of the Board, including for injunctive relief and to request the appointment of a receiver. The Board does not waive any further enforcement action by issuance of this citation.

PARTIES BOUND

This Order shall apply to and be binding upon the System, its owners, officers, directors, agents, employees, operators, contractors, successors, and assignees.

SEVERABILITY

The directives of this Order are severable, and the System shall comply with each and every provision thereof notwithstanding the effectiveness of any other provision.



Richard L. Hinrichs, P.E., Chief
Northern California Section
State Water Resources Control Board
Division of Drinking Water

5/7/2018
Date



Attachments:

Attachment A – Applicable Authorities

Attachment B – Butte County Tax Assessor Record

Attachment C – Certified Letter from Bruce Burton

Attachment D – Email from Butte County Environmental Health Dept.

ATTACHMENT A

APPLICABLE AUTHORITIES

Section 116650 of the CHSC states in relevant part:

- (a) If the Department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.*
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.*
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.*
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).*
- (e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.*

Section 116701 of the CHSC states in relevant part:

Petitions to Orders and Decisions

- (a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.*
- (b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.*
- (c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.*
- (d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.*

ATTACHMENT A

(e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.

(f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.

Section 116525 of the CHSC states in relevant part:

(a) No person shall operate a public water system unless he or she first submits an application to the department and receives a permit as provided in this chapter.

Section 64001 of the CCR states in relevant part:

A public water system shall submit an application for a permit or amended permit pursuant to section 116525 or section 116550, Health and Safety Code, respectively.

ATTACHMENT B

Assessor Inquiry - Main
Asmt: 058-520-033-000 Feeparcel: 058-520-033-000
Owner: JAMESON FAMILY REDWOOD TRUST

Situs Address		4320 BIG BEND RD CONCOW	
Name/Address		JAMESON FAMILY REDWOOD TRUST C/O CITI TRUSTEE SERVICES LLC TRUSTEE P O BOX 65 GLADE HILL VA 24092	
Status	Date	ACTIVE	
Taxability Code	Descr	000	NORMAL OWNERSHIP
TRA	Base Date	110-003	08/24/2016
Creating Doc#	Date	1984R2930012	
Current Doc#	Date	2016R0030968	08/24/2016
Terminating Doc#	Date		
Neighborhood C...	Supl Cnt	058	1
Asmt Description		4320 BIG BEND RD	
Land Use 1	Land Use 2		
Zoning 1	Dwell 1	HC 00	39
Acres	SqFt	21.81	0
SSN1	SSN2	--	--
Parcel Desc:			
Section	TownShip	Range	
Description			

Values	
Land	229,500
Structure	497,250
Fixtures	
Growing	
Total L&I	726,750
Fixture RP	
PP	
Exemption	
Net	726,750
R/C #	
TR/Date	
Status	
Description	ENROLLED is BASE YEAR

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION**State Water Resources Control Board**

Division of Drinking Water

October 20, 2017

Certified Mail/Return Receipt

7016 1370 0000 2062 1455

Jameson Family Redwood Trust
c/o Citi Trustee Services, LLC, Trustee
P.O. Box 65
Glade Hill, VA 24092

SUBJECT: Intent to Issue Formal Enforcement for Operating a Public Water System without a valid Domestic Water Supply Permit

Big Bend Mobile Home Park, Public Water System No. 0400028, 4320 Big Bend Road, Concow, California 95965

This letter is to notify the Jameson Family Redwood Trust of the State Water Resources Control Board's (State Water Board) intent to implement adverse action provisions contained in the California Health and Safety Code against the Jameson Family Redwood Trust. The Jameson Family Redwood Trust owns the Big Bend Mobile Home Park (MHP) public water system and is operating it without a valid domestic water supply permit.

Section 116525(a) of the California Health and Safety Code states (CHSC): "No person shall operate a public water system unless he or she first submits and application to the department and receives a permit as provided in this chapter. A change in ownership of a public water system shall require the submission of a new application."

Section 116650 of the CHSC states in relevant part:

- (a) If the state board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the state board may issue a citation to the public water system.
- (e) The state board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation and shall be in addition to any liability or penalty imposed under any other law.

Section 116725 (d) of the CHSC states: "Any person who operates a public water system without a permit issued by the department pursuant to this chapter may be liable, as determined by the court, for a civil penalty not to exceed twenty-five thousand dollars (\$25,000) for each separate violation or, for continuing violations, for each day that the violation continues."

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

A deadline to submit the required permit application material was set in the attached email as 30 days from acquiring ownership of the Big Bend MHP. The Butte County Assessor's Office records indicate the Jameson Family Redwood Trust assumed ownership of the Big Bend MHP on August 24, 2016. Therefore, the Jameson Family Redwood Trust was required to submit an application for a domestic water supply permit to operation the Big Bend MHP public water system by September 23, 2016.

Multiple attempts to obtain the permit application materials from a Jameson Family Redwood Trust representative, of unknown title, named Mr. Robert Glander, have been made by the Butte County Public Health Department (BCPHD) on behalf of the State Water Resources Control Board (SWRCB). Ms. Elaine McSpadden, director of the BCPHD, and Mr. Glander discussed the requirements for a Change of Ownership permit and the required documents in phone calls conducted on the following dates:

- July 20, 2016
- August 1, 2016
- November 10, 2016
- November 30, 2016
- December 2, 2016
- December 5, 2016
- December 9, 2016
- January 24, 2017 (two separate phone discussions)
- February 1, 2017
- February 7, 2017
- March 13, 2017

In addition, the BCPDH conducted a site visit with Mr. Glander and the system's Certified Operator on December 2, 2016. During the visit, the requirements for the Change of Ownership permit were again discussed along with identified deficiencies that are serious in nature and need immediate correction.

To date, the BCPHD has not received completed permit application materials from the Jameson Family Redwood Trust, nor any correspondence concerning the application materials, nor have the identified deficiencies been corrected.

Section 116665 of the California Health and Safety Code states: "Whenever the department determines that any public water system is unable or unwilling to adequately serve its users, has been actually or effectively abandoned by its owners, or is unresponsive to the rules or orders of the department, the department may petition the superior court for the county within which the system has its principal office or place of business for the appointment of a receiver to assume possession of its property and to operate its system upon such terms and conditions as the court shall prescribe."

The Jameson Family Redwood Trust must submit the permit application materials for Big Bend MHP public water system to the BCEHD by November 13, 2017. They must include an acceptable timeline to correct the identified deficiencies. **Failure to do so will result in the State Water Resources Control Board taking formal enforcement action against the Jameson Family Redwood Trust, up to and including petitioning superior court to impose civil penalties and appoint a receiver.**

Rowe, Paul@Waterboards

From: Aguiar, Amanda <AAguiar@buttecounty.net>
Sent: Thursday, March 01, 2018 9:33 AM
To: 'Joe Davis'
Cc: McSpadden, Elaine; Veilleaux, Jennifer; Kovacs, Jenifer; Crenshaw, Reese@Waterboards
Subject: Big Bend TMF-Permit Amendment Application
Attachments: FW: Big Bend MHP Change of Owner Application

Importance: High

Robert,

The Technical, Managerial and Financial Assessment (TMF) you provided for Big Bend MHP Public Water System is incomplete and cannot be accepted at this time. You mentioned you'd have a completed TMF by Friday March 23rd. I made sure I was in the office that afternoon to be here to go over and assist with any questions you may have with the documents. Unfortunately, you did not have the time to sit and discuss this information with me. At this time, I am not sure what else I can do to assist you with completing all of the requirements that have been asked of you and/or the owners of Big Bend MHP.

At this time, Butte County Environmental Health (BCEH) requiring a complete TMF assessment to be submitted **prior to March 15, 2018 to prevent enforcement and enforcement fees**. BCEH has been notified by our District Engineer that they have too offered to provide assistance in completing the TMF. BCEH is reluctant to extend this date further, but if you have an appointment to have this completed and it can be verified by the State, an extension may be provided.

As discussed on multiple occasions, this needs to be conducted without delay. It has been too long and BCEH cannot wait much longer.

Also, BCEH still needs the Permit Amendment/Change of Owner application to be submitted with applicable fees. Penalties continue to accrue as payments are not being provided.

Review the previous email sent with all of the requirements and attachments, attached.

Please feel free to contact myself or my Director, Elaine McSpadden EMcspadden@buttecounty.net , if you have any questions or concerns.

Amanda Aguiar

Environmental Health Specialist
BUTTE COUNTY PUBLIC HEALTH
202 Mira Loma Drive | Oroville, CA 95965
T: 530.538.5327 | F: 530.538.5339

"Nationally Accredited, 09/13/17"

FACEBOOK | TWITTER

COUNTY OF BUTTE E-MAIL DISCLAIMER: This e-mail and any attachment thereto may contain private, confidential, and privileged material for the sole use of the intended recipient. Any review, copying, or distribution of this e-mail (or any attachments thereto) by other than the County of Butte or the intended recipient is strictly prohibited. If you are NOT the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this e-mail and any attachments thereto.

From: Joe Davis [mailto:robert.managementservices@gmail.com]
Sent: Thursday, February 15, 2018 11:15 AM